

## State Water Resources Control Board

Division of Drinking Water

October 23, 2014

Mr. Gary Bauer  
Walnut Cove Mobile Estates  
4463 Hollingsworth Circle  
Rohnert Park, CA 94928


### CITATION NO. 02\_03\_14C\_026 FOR PWS NO. 1700674 BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION

Enclosed is a citation issued to the Walnut Cove Mobile Estates public water system (System) for failing to conduct routine bacteriological monitoring in August 2014.

Because this is an enforcement action for noncompliance with State regulations, the System will be billed at the Department's hourly rate (currently estimated at \$128.00) for the time spent issuing this citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,



Stefan Cajina, P.E., Chief  
North Coastal Section  
Division of Drinking Water

Enclosures

c: Lake County Environmental Health Department

1700674/Compliance File #4  
02\_03\_14C\_026-CvrLtr/LSH

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Walnut Cove Mobile Estates

**Water System No:** 1700674

**To:** Walnut Cove Mobile Estates  
4463 Hollingsworth Circle  
Rohnert Park, CA 94928

**Issued:** October 23, 2014

CITATION FOR NONCOMPLIANCE  
WITH TOTAL COLIFORM MONITORING REQUIREMENTS  
AUGUST 2014

The State of California Water Resources Control Board, Division of Drinking Water (Division) hereby issues a citation to the Walnut Cove Mobile Estates (System) for failure to comply with Section 64423, Title 22, of the California Code of Regulations (CCR).

Chapter 4, Article 9, Section 116550 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any

1 regulation, standard, permit or order issued thereunder. A copy of the *Applicable*  
2 *Statutes and Regulations* is located in Appendix 1, which is attached hereto and  
3 incorporated by reference.

#### 4 5 **STATEMENT OF FACTS**

6 Walnut Cove Mobile Estates is classified as a community water system serving 60  
7 connections with a population of 25. According to Section 64423, Title 22, of the  
8 CCR, the System is required to collect one routine bacteriological sample per month  
9 from the distribution system and report the findings to the Division database. As of  
10 the date of this Citation, the Division has not received results for a routine  
11 bacteriological sample collected from the distribution system of the Walnut Cove  
12 Mobile Estates during August 2014. The Division confirmed with the System that no  
13 August 2014 sample was collected.

#### 14 15 **DETERMINATIONS**

16 The Division has determined that the Walnut Cove Mobile Estates water system  
17 violated Section 64423, Title 22, of the CCR in August 2014. Section 64423 states  
18 that water suppliers are required to collect routine bacteriological samples based on  
19 the population served or the total number of service connections. Walnut Cove  
20 Mobile Estates failed to collect a routine bacteriological sample in August 2014 and  
21 therefore violated the total coliform routine monitoring requirement contained in  
22 Section 64423, Title 22, of the CCR.

#### 23 24 **DIRECTIVES**

25 The Walnut Cove Mobile Estates is hereby directed to take the following actions:  
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- 1 1. Comply with Section 64423, Title 22, of the California Code of Regulations in all  
2 future monitoring periods.  
3
- 4 2. In conformance with Section 64463.7 and Section 64465, Title 22 of the CCR, all  
5 persons served by the Walnut Cove Mobile Estates must be notified of the  
6 August 2014 bacteriological monitoring violation. The Walnut Cove Mobile  
7 Estates **2014 Consumer Confidence Report** (Report) may be used to provide  
8 this notification. If the 2014 Consumer Confidence Report is used to notify the  
9 residents, then the Public Notification Template in Appendix 2 shall be attached  
10 to the Consumer Confidence Report. **The corrective actions section and**  
11 **contacts section of the Public Notification Template must be completed**  
12 **prior to notification.** The 2014 Consumer Confidence Report and the  
13 completed Public Notification Template shall be distributed to all residents of the  
14 System no later than **July 1, 2015.** A copy of the Report and the completed  
15 Public Notification Template must be submitted to the Division no later than  
16 **August 1, 2015.**  
17

18 The Division reserves the right to make such modifications to this Citation, as it  
19 deems necessary to protect public health and safety. Such modifications may be  
20 issued as amendments to this Citation and shall be effective upon issuance.  
21

22 Nothing in this Citation relieves the System of its obligation to meet the requirements  
23 of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4,  
24 commencing with Section 116270), or any regulation, standard, permit or order  
25 issued thereunder.  
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27

1 All documents required by this Citation shall be submitted to the Division at the  
2 following address:

3  
4 State Water Resources Control Board  
5 Division of Drinking Water - Mendocino District  
6 50 D Street, Suite 200  
7 Santa Rosa, CA 95404

8 **PARTIES BOUND**


9 This Citation shall apply to and be binding upon the System, its officers, directors,  
10 agents, employees, contractors, successors and assignees.

11 **SEVERABILITY**

12 The directives of this Citation are severable, and the System shall comply with each  
13 and every provision thereof, notwithstanding the effectiveness of any provision.  
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1 **FURTHER ENFORCEMENT ACTION**

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3 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the  
4 California Health and Safety Code authorizes the Division of Drinking Water to:  
5 issue additional citations with assessment of penalties if the System continues to fail  
6 to correct a violation identified in a citation; take action to suspend or revoke a  
7 permit that has been issued to a public water system if the System has violated  
8 applicable law or regulations or has failed to comply with orders of the Division; and  
9 petition the superior court to take various enforcement measures against a public  
10 water system that has failed to comply with orders of the Division. The Division  
11 does not waive any further enforcement action by issuance of this citation.  
12

13  
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15 \_\_\_\_\_  
16 Stefan Cajina, P.E., Chief  
17 North Coastal Section  
18 Division of Drinking Water

19 Oct. 23, 2014  
20 \_\_\_\_\_  
21 Date

22 Certified Mail No. 70123460000264594904

23 Appendices (2):

- 24 1. Applicable Statutes and Regulations  
25 2. Public Notification Template  
26

27 1700674/Compliance File #4  
02\_03\_14C\_026/LSH



## **APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS**

### **FOR CITATION NO. 02\_03\_14C\_026**

*Note: The Department referenced below, formerly the California Department of Public Health, Drinking Water Program, now refers to the State Water Resources Control Board, Division of Drinking Water. The Drinking Water Program moved to the State Water Resources Control Board on July 1, 2014.*

#### **Section 116650 of the CHSC states in relevant part:**

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

**California Code of Regulations (CCR), Section 64423 states in relevant part:**

(a) Each water supplier shall collect **routine** bacteriological water samples as follows:

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A.

**California Code of Regulations (CCR), Section 64423.1 states in relevant part:**

(a) Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.

**California Code of Regulations Section 64463.7 states, in relevant part:**

(a) Each water system shall give public notice pursuant to this section if any of the following occurs:

(1) Monitoring violations;

(2) Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the



Department determines that a Tier 2 public notice is required pursuant to section 64463.4; or

(3) Operation under a variance or exemption.

(b) Each water system shall give the public notice within one year after it learns of the violation or begins operating under a variance or exemption.

(1) The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues.

(2) Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days.

(3) Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection.

(c) Each water system shall deliver the notice in a manner designed to reach persons served within the required time period, as follows:

(1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(d) Community and nontransient-noncommunity water systems may use the Consumer Confidence Report pursuant to sections 64480 through 64483, to meet the initial and repeat Tier 3 public notice requirements in subsection 64463.7(b), as long as the Report meets the following:

- (1) Is given no later than one year after the water system learns of the violation or occurrence;
- (2) Includes the content specified in section 64465; and
- (3) Is distributed pursuant to paragraph (b)(1) and (2) or subsection (c).

**California Code of Regulations (CCR), Section 64465 states in relevant part:**

(a) Each public notice given pursuant to this article shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail"; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During *[compliance period dates]*, we *[did not monitor or test or did not complete all monitoring or testing]* for *[contaminant(s)]*, and therefore, cannot be sure of the quality of your drinking water during that time."

(c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:

- (1) Contain information in the appropriate language(s) regarding the importance of the notice, or
- (2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.

### **Walnut Cove Mobile Estates Failed to Test the Drinking Water for Bacteria**

Our water system failed to test our drinking water for bacteria in August 2014, as required by the California Code of Regulations. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

#### **What should I do?**

You do not need to take any corrective actions at this time. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on regulated contaminants in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

#### **What happened?**

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. During August 2014, we did not test for coliform bacteria and therefore cannot be sure of the bacteriological quality of the drinking water during that time.

#### **What does this mean?**

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria indicate the possibility of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the safety of the water. Our failure to test our drinking water for bacteria during August 2014 was a violation of Section 64423, Title 22 of the California Code of Regulations (CCR).

**What corrective actions have been taken by the Walnut Cove Mobile Estates to prevent this violation from occurring in the future?**



This notification of the public is being done in compliance with Sections 64463.7 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

(name)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)

**To all School Administrators, Rental Property Owners, and Business Property Owners:**

You must provide public notification within 10 days of the receipt of this notice from **Walnut Cove Mobile Estates** [Health and Safety Code Section 116450(g)]. The notification must be provided as follows:

**SCHOOLS:** Must give written notification to school employees, students, and parents (if the students are minors).

**RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including but not limited to apartment complexes, nursing home facilities, other care facilities): Must give written notification to tenants/patients. Must give written notification to employees (if applicable).

**BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS** (including but not limited to restaurants, stores, hospitals, churches, clubs, daycare facilities, offices, other businesses): Must give written notification to employees and members. Must post in conspicuous places for customers/visitors (if applicable).

PUBLIC WATER SYSTEM NO. 1700674

Date: \_\_\_\_\_